

NOTICE OF VIOLATION

City of Columbus  
Division of Construction Inspection  
Columbus, Ohio

Docket No. 030-11722  
License No. 34-13103-02

As a result of the inspection conducted on July 23 and 25, 1991, and in accordance with the "Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1991) (Enforcement Policy), the following violations were identified:

- A. 10 CFR 20.201(b) requires that each licensee make such surveys as may be necessary to comply with the requirements of Part 20 and which are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions. 10 CFR 20.101 limits the radiation dose to a worker's extremity to 18.75 rems per calendar quarter.

Contrary to the above, as of July 23, 1991, the licensee did not make surveys (evaluations) to assure compliance with that part of 10 CFR 20.101 that limits the radiation dose to a worker's extremity to 18.75 rems per calendar quarter. Specifically, the licensee did not evaluate the radiation hazards that may be present to show compliance with 10 CFR 20.101 when sources rod were removed in order to clean and maintain the gauges.

This is a Severity Level IV violation (Supplement IV).

- B. License Condition No. 17, effective June 26, 1986, which was in effect until December 12, 1990, when License Amendment No. 6 was issued, required that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced documents, including the license application dated March 4, 1981, and a letter dated May 1, 1986. Amendment No. 6, License Condition No. 17, dated December 12, 1990, was in effect until the license was renewed in its entirety on March 24, 1992, and required that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced documents, including the license application dated March 4, 1981, and letters dated May 1, 1986, and November 8, 1990.

1. Item 15.(4) of the March 4, 1981, license application required, in part, that the Division Superintendent or his designated representative make a quarterly physical safety check covering security, personnel monitoring, records and reports, incidents, emergency procedures and transportation by private motor vehicle.

Contrary to the above, from June 26, 1986 through July 25, 1991, the Division Superintendent or his designee did not make any quarterly physical safety checks.

This is a Severity Level IV violation (Supplement VI).

2. Item 13 of the letter dated May 1, 1986, required, in part, that gauges will not be stored at temporary job sites.

The letter dated November 8, 1990, required the overnight storage of nuclear gauges on the second floor of the licensee's facility at 1120 Morse Road, Columbus, Ohio.

Contrary to the above, as of July 23, 1991, nuclear gauges were not always stored in the storage area located on the second floor of the licensee's facility at 1120 Morse Road, Columbus, Ohio. Specifically, the Radiation Protection Officer stated that gauges are routinely stored in automobiles parked overnight at the homes of the authorized users and are occasionally removed from the vehicles for recharging in the authorized users' garages.

This is a Severity Level IV violation (Supplement VI).

- C. 10 CFR 71.5(a) requires that licensees who transport licensed material outside the confines of their plants comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189.

Pursuant to 49 CFR 172.101, radioactive material is classified as a hazardous material.

1. 49 CFR 172.604(a)(3) requires, in part, that a person who offers a hazardous material for transportation must provide a 24-hour emergency response telephone number on the shipping paper for use in the event of an emergency involving the hazardous material.

Contrary to the above, on July 23, 1991, the licensee offered for transportation and transported a package containing approximately 0.04 curies of americium-241 and 0.008 curies of cesium-137, hazardous materials, outside the confines of its plant, and the licensee did not provide a 24-hour emergency response telephone number on the shipping paper.

This is a Severity Level IV violation (Supplement V).

2. 49 CFR 177.817(e) requires, in part, that the driver of a motor vehicle containing hazardous material ensure that the shipping paper required by 49 CFR 177.817(a) is readily available to, and recognizable by, authorities in the event of accident or inspection. The driver shall store the shipping paper as follows: Specifically, (i) when the driver is at the vehicle's controls the shipping paper shall be: (A) within his immediate reach while he is restrained by the lap belt; and (B) either readily visible to a person entering the driver's compartment or in a holder which is mounted to the inside of the door on the driver's side of the vehicle; (ii) When the driver is not at the vehicle's controls, the shipping paper shall be: (A) in a holder which is mounted to the side of the door on the driver's side of the vehicle; or (B) on the driver's seat in the vehicle.

Contrary to the above, on July 23, 1991, the licensee transported approximately 0.04 curies of americium-241 and 0.008 curies of cesium-137 in special form radioactive material, a hazardous material, outside the confines of its plant and the driver of the vehicle did not ensure that the shipping paper was readily available in the driver's compartment, as required. Specifically, the shipping paper was stored behind the driver's seat while the driver was not at the controls of the vehicle.

This is a Severity Level IV violation (Supplement V).

3. 49 CFR 172.400(a) requires each person who offers a package containing a hazardous material for transportation shall label it as specified in 49 CFR 172.101. 49 CFR 172.101, "Hazardous Material Table," shows that the identification number for special form radioactive material is UN 2974.

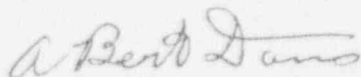
Contrary to the above, on July 23, 1991, the licensee offered for transportation and transported a package containing approximately 0.04 curies of americium-241

and 0.008 curies of cesium-137, special form radioactive material, which is also a hazardous material, outside the confines of its plant, and the package was not labelled with the correct identification number as specified in 49 CFR 172.101. Specifically, the package was labelled "NA 9182," rather than "UN 2974," as specified in 49 CFR 172.101.

This is a Severity Level IV violation (Supplement V).

An inspection on August 17, 1992, showed that steps have been taken to correct the identified violations and to prevent recurrence. Consequently, no reply to the violations is required and we have no further questions regarding this matter.

FOR THE NUCLEAR REGULATORY COMMISSION



A. Bert Davis  
Regional Administrator

Dated at Glen Ellyn, Illinois  
this 6 day of April 1993